

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

The indication by the Examiner that "Claims 2-4 and 15-20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims", is hereby acknowledged. It is believed that the inclusion of the wording "to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action" is in error in view that the only rejection set forth in the office action is that of original base Claim 1 under 35 U.S.C. 102(b) as being anticipated by Tuvim et al. USPN 5,421,491.

Independent base Claim 1 has been amended to incorporate the allowable subject matter of dependent Claim 2. Dependent Claim 2 has been canceled in lieu of incorporation of its allowable subject matter into independent Claim 1. Dependent Claims 3 and 4 have been amended to change their dependencies from canceled Claim 2 to independent Claim 1. Thus, it is submitted that amended independent Claim 1 and dependent Claims 3 and 4 which depend therefrom are now presented in allowable form. No new matter has been introduced.

Dependent Claim 15 has been amended to incorporate the subject matter of original independent base Claim 1 such that Claim 15 has now been rewritten in independent form so as to include all of the limitations of its base claim. There are no intervening claims. Claims 16-20 remain dependent from Claim 15. Thus, it is submitted that amended independent Claim 15 and dependent Claims 16-20 which depend therefrom are now presented in allowable form. No new matter has been introduced.


Previously, Applicant elected without traverse Species III on which Claims 1-4 and 15-20 were believed to be readable. So, in the subject Office Action the Examiner withdrew Claims 5-14 from further consideration as being drawn to a nonelected species, there

being no allowable generic or linking claims prior hereto. As mentioned above, independent Claim 1 has now been amended to incorporate the allowable subject matter of original dependent Claim 2. The allowable subject matter of now canceled Claim 2 is found in the disclosed structure of each of the non-elected Species I and II and so amended independent Claim 1, which now incorporates the allowable subject matter of canceled Claim 2, is now believed to be a generic claim relative to non-elected Species I on which is readable withdrawn dependent Claims 5-8 and to non-elected Species II on which is readable withdrawn dependent Claims 9-11, 13 and 14. Thus, dependent Claims 5-11, 13 and 14 now depend either directly or indirectly from generic amended independent Claim 1 and so it is submitted that, as was indicated by the Examiner on page 2 of the previous office action (which contained the election/restriction requirement), Applicant is entitled to consideration of withdrawn Claims 5-11, 13 and 14, which means that these claims should be considered as allowable along with allowable Claims 1, 3, 4 and 15-20. Furthermore, dependent Claims 9 and 10 have been amended so as to incorporate different portions of canceled dependent Claim 12 in order to conform Claims 9 and 10 to the amendments introduced in independent base Claim 1. Also, dependent Claims 13 and 14 have been amended to change their dependencies from canceled dependent Claim 12 to dependent Claim 9. No new matter has been added.

In view of the foregoing amendments and remarks, Claims 1, 3-11 and 13-20, as now presented, are considered to distinguish over the prior art of record, satisfy the allowability requirements set forth by the Examiner, and thereby to be patentable. Thus, favorable consideration and allowance of the subject application are respectfully solicited.

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Respectfully submitted,


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